APPENDIX 1

OFFICE OF PRICE ADMINISTRATION

Statement of the Considerations Involved in the Issuance of Restaurant Maximum Price Regulation No. 2

In the judgment of the Price Administrator it has become necessary and desirable to establish in one regulation, the maximum prices of meals, food items, and beverages sold by eating or drinking establishments for immediate consumption.

The accompanying Regulation is issued in order to eliminate inconsistencies now existing in Regional and District Restaurant Regulations issued under General Order 50, and to achieve uniformity by establishing one national regulation for meals, food items, and beverages based upon what experience has proved to be the best features of the various restaurant regulations now in effect.

The provisions of this Regulation have been submitted to the National Restaurant Industry Advisory Committee. Each section was explained to the Committee which in general approved all the provisions of the Regulation.

Eating and drinking establishments form an essential part of our wartime economy and are directly involved in the cost of living. The public has become increasingly dependent upon them in the course of its every day life. In many defense centers the need for such facilities has been accentuated by tremendous population shifts from outlying areas. Rooming and living facilities in these centers are crowded and overburdened and the opportunities for home preparation of meals are seriously restricted or impaired. Such conditions have thrown an increased burden upon existent restaurant and other eating places. At the same time, material and labor shortages are obstructing or preventing the establishment of new restaurants or

eating places. Moreover, food rationing has limited the supplies available to those places already in existence. These factors have resulted in creating strong pressure for raising the level of prices charged by eating and drinking places.

From the beginning of price control the Office of Price Administration has been cognizant of the ultimate necessity for controlling the prices charged by eating and drinking places. Although the sale of prepared foods by eating and drinking places was exempted when the General Maximum Price Regulation was issued on April 28, 1942, this exemption was founded entirely upon temporary considerations of expediency. Perhaps the main consideration was the fact that effective control had not yet been devised for the wages and raw food costs which make up the major portion of the expenses which enter into the final price calculations of eating or drinking places. At the time the exemption was granted, it was recognized that the exemption would sooner or later have to be withdrawn and some effective means of restaurant control instituted.

By April, 1943, controls had been established over raw food and labor costs and at the same time, restaurant prices in general had risen sufficiently to enable operators easily to absorb all intervening cost increases. This was the situation at the time the President issued Executive Order No. 9328 on April 8, 1943. By this Order price control agencies were directed "to take immediate steps to place ceiling prices on all commodities affecting the costs of living." Accordingly, on April 12, 1943, the Price Administrator issued General Order No. 50, under which eating and drinking establishments were required to file with their respective local War Price and Rationing Boards copies of their menus or price lists for the period of April 4 to 10, 1943. In addition, the order required the keeping or preservation of customary records and future records by the proprietors of eating or drinking places. The order delegated to each Regional Administrator the authority to issue orders establishing maximum prices for meals, food

items, and beverages sold in eating or drinking establishments within his region.

Acting under General Order No. 50, the Regional Administrators and District Directors issued Restaurant Maximum Price Regulations applicable to 90 of the 95 districts of the Office of Price Administration. Data and information collected by these Regional and District Offices have convinced the Administrator of the need for a uniform national regulation based upon the maximum prices charged for meals, food items, and beverages during the base period of April 4-10, 1943—the base period provided for in all of the 32 regulations issued by the Regional Administrators and District Directors of the Office of Price Administration.

The accompanying Regulation, conforming in general to those issued by the Regional Administrators and District Directors, is primarily a regulation which freezes the maximum prices of eating and drinking places in the 48 states and the District of Columbia to the April 4-10, 1943 levels.

Special recognition is given in the accompanying regulation to the practices of the industry in the pricing of holiday meals and seasonal items. Rules have been established for new proprietors which will assure observance of April 4-10 competitive levels.

Although, the provisions of the accompanying Regulation are substantially the same as those found in the Restaurant Maximum Price Regulations issued by the Regional and District Offices, there are certain modifications. In the main these are:

1. The ceiling price for coffee is established at the highest price charged during the seven-day period beginning Sunday, October 4, 1942, and ending Saturday, October 10, 1942. This was believed necessary because, according to all available information, the prices for coffee have been rising unjustifiably in many areas since the institution of a coffee rationing program by the Office of Price Administration in November, 1942.

At that time the ceiling price of coffee was not subject to regulation.

2. The classification of food items, meals and beverages is changed in order to conform to certain trade practices of maintaining price differences depending upon the time of the day or the day of the week.

3. Each District Director is authorized to issue orders requiring eating and drinking establishments to post maximum prices for 40 items in conformity with a specimen posting order appended to the accompanying Regulation. These 40 items are to be selected by each District Director as follows: The District Director will examine a list of suggested meals, food items and beverages suggested by representative members of the trade (District Restaurant Council) in the district and will select 40 items from that list. Each eating and drinking establishment in the district must place on a poster supplied by the district offices as many of the 40 items as it serves. If it does not serve all the 40 items, it must place on the poster as many additional items as are necessary to constitute the total of forty required in the Order with the maximum price for each item. If the establishment serves less than forty items, it must show its complete menu. This posting provision was recommended by the National Restaurant Industry Advisory Committee as a method by which the members of the trade could assist in informing the consumer as to the maximum prices for basic food items in each community. It was also recommended by the Committee as a method of aiding in trade cooperation and compliance with price control.

4. The accompanying Regulation continues the record and filing requirements of General Order 50. It provides that any establishment that failed to comply with the filing provisions of General Order 50, must file with its War Price and Rationing Board within 10 days after the effective date of the Regulation its menus, bills of fare or price lists as

required by the filing provisions of General Order 50. If an establishment fails to comply with this provision, it is prohibited from selling, delivering or offering to sell or deliver the meals, food items, or beverages for which it has not made a proper filing until it has made proper filing with its War Price and Rationing Board.

Issued this 29th day of June 1943.

CHESTER BOWLES,
Administrator.

APPENDIX 2

OFFICE OF PRICE ADMINISTRATION

Maximum Price Regulation 2-1, July 19, 1943

(Document No. 19240)

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2-1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

In the judgment of the Regional Administrator of Region II, the prices of food and beverages sold for immediate consumption in the States of New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Regional Administrator of Region II, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the Regional Administrator of Region II gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (F.R. 7565), 77th Congress, Second Session, and under the authority of Executive Order 9250,

Executive Order 9328, and the Emergency Price Control Act of 1942, the Regional Administrator of Region II hereby issues this Restaurant Maximum Price Regulation No. 2-1, establishing, in general, as maximum prices for food and drink sold for immediate consumption in the areas mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.101 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, Restaurant Maximum Price Regulation No. 2-1 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is issued.

AUTHORITY: § 1448.101 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO. 2-1—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. *Sales at higher than maximum prices prohibited.* If you own or operate a restaurant, hotel, bar, cafe, club, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal"

at a price higher than the maximum price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than maximum prices.

SEC. 2. *How you figure maximum prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.* Your maximum price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure maximum prices for food items and meals you did not offer in the seven-day period.* You must figure your maximum price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your maximum price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established maximum prices, choose a food item or meal which currently has a raw food cost equal to or less than the new food item or meal.

(3) Take as your maximum price for the new food item or meal your maximum price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. (See sections 20 and 21 for definitions and classes of food items and meals). If, however, you have no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) If you are unable to determine a maximum price for a new food item or meal according to paragraphs (a) or (b), then your maximum price is a price which is in line with your maximum prices for other food items or meals in the next higher cost range. A price is "in line" if the customer receives as much value for his money from the one item or meal as from the other. In comparing values, quality, size of portions, and the margin over food cost, are the things that count. A price established under this paragraph must always be lower than the price for the food item or meal used as the basis for computing the "in line" price.

(d) Once your maximum price for a food item or meal has been fixed, it may not be changed, except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your maximum price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided,* That in no event shall the price be higher than the maximum price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your maximum price according

to this rule provided the maximum price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No maximum price for any food item or meal to be higher than the highest maximum price for a food item or meal of the same class offered in the five-week period beginning March 7, 1943, and ending April 10, 1943.* Under no circumstances are you permitted to charge a higher price for a food item or a meal than your highest maximum price for food items or meals of the same class offered in such five-week period.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 (a), class 25.

SEC. 6. *Holiday differentials.* Notwithstanding the provisions of the foregoing section, any proprietor who has, customarily, in the regular course of his business, charged higher prices for food items or meals on holidays, such as New Year's Eve, Thanksgiving Day, Labor Day, etc., may continue to maintain his customary differentials.

SEC. 7. *Substitution of food items in meals.* If you have already determined your maximum price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your maximum price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its maximum price in accordance with the rules established by section 3.

SEC. 8. *Prohibition against manipulation of meal offerings.* You must not manipulate your meal offerings in a

manner which will force your customers to spend more for meals than they did during the seven-day period. Among other things you must not

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class served on any day during the seven-day period without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class. (Note that Sunday meals and week-day meals are meals of different classes.)

(b) Fail to offer at least as many different meals at (or below) the lowest price charged by you for meals of the same class on any day you select in the seven-day period as you did on that day.

SEC. 9. *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device whatsoever. Some, but not all practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making appropriate reductions in price. For any change in quantity or quality resulting in a cost saving, you shall reduce your maximum price by an amount which is proportionate to the saving in cost. (You must maintain a raw food cost ratio at least equal to such ratio prior to the deterioration or reduction);

(2) Withdrawing the offer, or increasing the price of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or increasing any additional charge

for the sale of a food item or meal to be consumed off the premises, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the seven-day period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Discontinuing a no-tipping practice without a compensating reduction in your maximum prices;

(5) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the seven-day period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(6) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hote price for the complete meal or give your customers less value for their money.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be served if your available supply is not adequate.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish the curtailed item at an additional charge. For example, if during the seven-day period you furnished catchup you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 10. *Rules for proprietors not in operation during the seven-day period.* (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same maximum prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to your OPA District Office for permission to price under paragraph (b) or (c) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you were not in operation during the seven-day period, you must fix maximum prices in line with the maximum prices of the nearest eating or drinking place of the same type as yours. If the maximum prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your maximum prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

(c) If you cannot price under paragraphs (a) or (b) above, you must apply for a price to your OPA District Office. Your application must be filed ten days prior to the

date you plan to commence operations and present the following information:

(1) Your name and address.

(2) A brief description of your business and the manner of operation.

(3) A list of showing the prices you propose to charge and, if you are a seasonal operator, the prices you charged during your last season.

(4) The date when you plan to commence operations.

(5) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may, at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. *Records*—(a) *Filing of menus.* General Order No. 50 required you to file with your war price and rationing board on or before May 1, 1943, a signed copy of each menu or list of your prices in effect during the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. If you have not already filed, you must do so immediately. Failure to do so will also constitute a violation of this regulation.

(b) *Filing by proprietors not in operation during the seven-day period.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a) above, except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943 and (2) the filing shall be made within three weeks of such first Sunday.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period from April 4-10, 1943, or if you are a new proprietor, in the seven-day period referred to in paragraph (b) above. If you did not use menus, or if your menus were incomplete, you must make available for such examination a list of the highest prices you charged in such seven-day period.

(d) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two copies of each menu used by you each day. If you do not use menus you must prepare, in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning August 2, 1943, each menu must have clearly and plainly written on or attached to it the following statement:

All prices are our ceiling prices, or below. By OPA regulation, our ceilings are based on our highest prices from April 4 to 10, 1943. Our menus or price lists for that week are available for your inspection.[1]

If you do not use menus, you must post the above statement at a place where it can easily be read by your customers.

(b) If you do not use menus, you must post your prices for food items and meals currently offered by you at a place or places where they can easily be read by your customers.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the seven-day period of this regulation shall not become a maximum price under this regulation if it exceeded the maximum price established by another regulation applicable at that time. In such case the lawful maximum price applicable at that time shall be the maximum price hereunder.

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[1] If you were not in operation during the seven-day period from April 4 to April 10, 1943, substitute the following statement:

"All prices are our ceiling prices, or below. By OPA regulation, our ceilings as a new proprietor are in line with competitive prices from April 4 to 10, 1943. Our menus or price lists for our first week of operation are available for your inspection."

SEC. 16. *Geographical application.* This Restaurant Maximum Price Regulation No. 2-1 applies to the States of New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on broad common carriers (when operated as such), including railroad dining cars, clubs, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operations.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that

present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation; and

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[2] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by any district office that has been authorized to do so by order of the Regional Administrator.

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[2] In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese. See section 21B for "classes of meals".

(c) "Offered" means offered for sale for consumption in or about the eating or drinking place, and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

Food items, otherwise identical, are not the same for the purpose of establishing maximum prices under sections 2 and 3, when they are items in different classes. (See section 21 (a) for "classes of food items".) For example: lamb chops offered a la carte for dinner or lunch are in class 13 while if offered for breakfast, they are in class 4.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain

seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.* For the purposes of this regulation there shall be thirty-six classes of food items:

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.

2. Cereals.

3. Entrees: egg and combination egg dishes served at breakfast.

4. Entrees: meat and meat combination dishes served at breakfast.

5. Entrees: all other dishes served at breakfast.

6. Breads, rolls, buns, danish-pastries, etc., served at breakfast.

7. All other breakfast dishes including jams, jellies, and preserves.

Other Items

8. Appetizers, except alcoholic cocktails.

9. Soups, including soups in jelly.

10. Beef: steaks and roasts.

11. Veal: steaks, chops, and roasts.

12. Pork: loin, chops, steaks, roasts.

13. Lamb or mutton: chops, roasts.

14. Poultry and fowl.

15. Fish and shell-fish.

16. Game.

17. Miscellaneous and variety meats, including liver and kidneys.

18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.

19. Egg and cheese dishes and combinations thereof.

20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.

21. Vegetables, including potatoes.

22. Salads (except as served as a main course or appetizer course in a meal).

23. Desserts: cakes, cookies, pies, pastries, and other baked goods.

24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.

25. Desserts: seasonal dessert specialties such as watermelon and cantaloupe.

26. Desserts: all others, including fruits, pudding and cheese.

27. Cold sandwiches: including garnishings, salads and vegetables.

28. Hot sandwiches: including garnishings, salads and vegetables.

29. All other food items served in a meal including mints and preserves.

30. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

31. Non-alcoholic beverages, including sparkling and mineral waters.

32. Alcoholic malt beverages, including beer and ale.

33. Wines, including sparkling wines.

34. Liquors, including whiskeys, gins and brandies.

35. Cordials, including fruit liqueurs.

36. All other alcoholic beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely: breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Regional Administrator, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

SEC. 23. *Licensing.* The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order No. 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the Regional Administrator.

This regulation shall become effective July 26, 1943.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of July 1943.

SYLVAN L. JOSEPH,
Regional Administrator.